

ORDINANCE NO. O18-43

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, BY AMENDING ORDINANCE 085-073, AS PREVIOUSLY AMENDED BY ORDINANCES 095-054, 096-006, 099-025, AND 007-007, ON 11.163-ACRE PROPERTY LOCATED AT 4550 EXCEL PARKWAY, TO ADD ADDITIONAL USES; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, NO SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town of Addison, Texas (the “City”) is a home rule municipality having full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution and its Home Rule Charter; and

WHEREAS, at its regular meeting held on November 20, 2018, the Planning & Zoning Commission considered and made recommendations on a request to amend Planned Development District 085-073, as amended by Ordinances 095-054, 096-006, 099-025, and 007-007, to bring an existing nonconforming use into compliance. (Case No.1788-Z); and

WHEREAS, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this amendment promotes the general welfare and safety of this community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

Section 2. That Section 2, Subsection 1, Use Regulations, Lot 2 Uses, of Ordinance 085- 073, as amended by Ordinances 095-054, 096-006, 099-025, and 007-007, shall be amended to include the production, assembly, and distribution of spinal fixation systems in addition to all other uses permitted under the existing Planned Development District.

Section 3. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

Section 4. That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or

unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.


Section 5. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 6. That this Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.


DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS this 11th day of DECEMBER 2018.

TOWN OF ADDISON, TEXAS

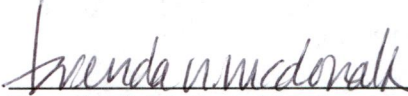



Joe Chow, Mayor

ATTEST:


Irma G. Parker, City Secretary

APPROVED AS TO FORM:


Brenda N. McDonald, City Attorney